

5. No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and plot plan showing the location of such building have been approved in writing as to conformity and harmony of external design with existing structures in the subdivision, and as to location of the building with respect to topography and finished ground elevation, by a committee composed of T. F. Huguenin and John T. Douglas, or by a representative designated by said committee. In the event of death or resignation of any member of said committee, the remaining member shall have full authority to approve or disapprove such design, and location, or to designate a representative with like authority. In the event said committee, or its designated representative, fails to approve or disapprove such design and location within 30 days after said plans and specifications have been submitted to it, or in any event, if no suit to enjoin the erection of such building, or the making of such alterations have been commenced prior to the completion thereof, such approval will not be required and this covenant will be deemed to have been fully complied with. Neither the members of such committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The powers and duties of such committee, and of its designated representative, shall cease on and after January 1, 1975. Thereafter, the approval described in this covenant shall not be required unless prior to said date and effective thereon, a written instrument shall be executed by the then record owners of a majority of the lots in this subdivision and duly recorded appointing of a representative, or representatives, who shall thereafter exercise the same powers previously exercised by said committee.

6. No obnoxious or offensive trade or activity shall be carried on upon any of the property, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

7. No live stock, cattle, swine, sheep, goats, or other such animals of similar breed shall be permitted to be kept on any residential plot. Likewise, no chickens, ducks, geese, or other such fowls shall be permitted or kept on any residential plot except that fowls may be maintained in a limited number not in excess of ten, for the purpose of being consumed by the family residing on such residential plot.

8. This property shall be used only for single family residences, provided, however, any lots may be used for the construction of a building for educational or religious purposes.

9. This property shall not be recut so as to face any direction other than as shown on the recorded plat thereof.

10. All sewerage disposal shall be by septic tank meeting the approval of the State Board of Health or by Municipal Sewerage System.

11. An easement five (5) feet in width is reserved across the side and rear of all lots for the purpose of utility installation and maintenance, as well as drainage.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 10 day of July, 1954.

In the Presence of:

Mary R. Whitnir

DERBY HEIGHTS, INC.

By: T. F. Huguenin (L.S.)
President.